ATTORNEY'S DOCKET NO.: 062120

| , U.  | S. DEPARTMENT OF COMMERCE,  | DATE: March 1, 2006                             |   |  |  |  |  |  |
|---|---|---|---|--|--|--|--|--|
| TRANS   | SMITTAL LETTER TO THE UNITED<br>(DO/EO/US) CONCERNING A   | U.S. Application. No. (if known): 52            |   |  |  |  |  |  |
| INTERNATIONAL APPLICATION NO.: PCT/JP2004/012645  |   | INTERNATIONAL FILING DATE:<br>September 1, 2004 | PRIORITY DATE CLAIMED:<br>September 2, 2003 |  |  |  |  |  |
| TITLE OF INVENTION: CONSTRUCTION MACHINERY  |   |   |   |  |  |  |  |  |
| APPLICANT(S) FOR DO/EO/US: Kouji HOSHI et al.   |   |   |   |  |  |  |  |  |
| Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: |   |   |   |  |  |  |  |  |
| 1. 🛛  | This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.  |   |   |  |  |  |  |  |
| 2. 🗆  | This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.   |   |   |  |  |  |  |  |
| 3. 🖾  | This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.  |   |   |  |  |  |  |  |
| 4. 🖾  | The US has been elected (Article 31).   |   |   |  |  |  |  |  |
| 5. 🗵  | A copy of the International Application as filed (35 U.S.C. 371(c)(2)):  a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).  b. ☐ has been transmitted by the International Bureau.  c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)   |   |   |  |  |  |  |  |
| 6. 🛚  | An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).  a. is attached hereto.  b. is attached previously submitted under 35 U.S.C. 154(d)(4).  |   |   |  |  |  |  |  |
| 7. 🖾  | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  a.  are transmitted herewith (required only if not transmitted by the International Bureau).  b.  have been transmitted by the International Bureau.  c.  have not been made; however, the time limit for making such amendments has NOT expired.  d.  have not been made and will not be made. |   |   |  |  |  |  |  |
| 8. 🗆  | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).   |   |   |  |  |  |  |  |
| 9. 🛛  | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  |   |   |  |  |  |  |  |
| 10. 🗆   | An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  |   |   |  |  |  |  |  |
| ITEMS   | 11. TO 20. BELOW CONCERN OTHE   | ER DOCUMENT(S) OR INFORMATION INCLU             | DED:  |  |  |  |  |  |
| 11. 🛛   | An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO/SB/08 and 5 references.   |   |   |  |  |  |  |  |
| 12. 🛚   | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: KOMATSU LTD., Tokyo, Japan.  |   |   |  |  |  |  |  |
| 13. 🗆   | Please publish the assignee data with the application.  A preliminary amendment.  |   |   |  |  |  |  |  |
| 14. 🖾   | An Application Data Sheet under 37 C.F.R. 1.76  |   |   |  |  |  |  |  |
| 15. 🗆   | A substitute specification.   |   |   |  |  |  |  |  |
| 16. 🗌   | A change of power of attorney and/or address letter.  |   |   |  |  |  |  |  |
| 17. 🗆   | A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.   |   |   |  |  |  |  |  |
| 18. 🗌   | A second copy of the published international application under 35 U.S.C. 154(d)(4).   |   |   |  |  |  |  |  |
| 19. 🗆   | A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).   |   |   |  |  |  |  |  |
| 20. 🛛   | Other items or information: 9 sheets of Drawings.   |   |   |  |  |  |  |  |

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| U.S. APPLICATION  | NO (if known)  | DATE: March 1, 2006                                     |                |            |  |  |  |  |
|---|--|---|----------------|------------|--|--|--|--|
| The following fees are  | e submitted:   | CALCULATIONS  | PTO USE ONLY   |            |  |  |  |  |
|   | onal Stage Fee   | \$ 300.00   |                |            |  |  |  |  |
| 22. National St<br>If International prelimin<br>provisions of PCT Arti-<br>All other situations   |  | \$ 200.00   |                |            |  |  |  |  |
| 23. National St<br>Search fee (37 CFR 1.4<br>an International Search<br>International Search Re<br>All other situations   | ing Authority  | \$ 400.00   |                |            |  |  |  |  |
|   | ENT  | \$ 900.00   |                |            |  |  |  |  |
| Surcharge of \$130.00 earliest claimed priori   |  |   |                |            |  |  |  |  |
| CLAIMS  | NUMBER<br>FILED  | NUMBER EXTRA  | RATE           |            |  |  |  |  |
| TOTAL   | 8 -20 =  |   | X \$ 50.00     |            |  |  |  |  |
| INDEPENDENT   | 2 - 3 =  |   | X \$ 200.00    |            |  |  |  |  |
| Multiple dependent cl   |  | )   | + \$360.00     | \$ 360.00  |  |  |  |  |
| TOTAL OF ABOVE  |  |   |                | \$1,260.00 |  |  |  |  |
| \$ 250.00. ¥  |  | ch additional 50 sheets that if applicable. (Note 37 Cl |                |            |  |  |  |  |
|   |  |   |                |            |  |  |  |  |
| SUBTOTAL = Processing fee of \$13   |  | \$1,260.00  |                |            |  |  |  |  |
| the earliest claimed pr   |  | \$1,260.00  |                |            |  |  |  |  |
| Fee for recording the accompanied by an ap \$40.00 per property +   | e enclosed assignment<br>opropriate cover sheet  | \$ 40.00  |                |            |  |  |  |  |
| TOTAL FEES ENCL   |  |   |                | \$1,300.00 |  |  |  |  |
| TOTALTELOENCE   | 0000   | Amount to be:<br>refunded<br>charged                    | \$ \$          |            |  |  |  |  |
| a. A check in the amount of \$1,300.00 to cover the above fees is enclosed.  (\$300.00 for basic national stage fee; \$400.00 for national stage search fee; \$200.00 for national stage examination fee; \$360.00 for multiple dependent claims and \$40.00 for assignment recordation fee). |  |   |                |            |  |  |  |  |
|   | b. Please charge my Deposit Account No. 50-2866 in the amount of \$ to cover the above fees. |   |                |            |  |  |  |  |
| c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.  |  |   |                |            |  |  |  |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.  |  |   |                |            |  |  |  |  |
| Send All Correspondence To:  WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 Connecticut Avenue NW Suite 700 Washington, DC 20036 CUSTOMER NO. 38834   |  |   |                |            |  |  |  |  |
| Typed or Printed Name: Stephen G. Adrian Reg. No.: 32,878   |  |   |                |            |  |  |  |  |
| Signature   | 19/1   |   | Date: March I, | 2006       |  |  |  |  |

SGA/mc